

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

Case No: 4:20-CR-20599

Hon. Matthew F. Leitman

v.

D-1: JOHN ANGELO, and

D-3: ROSINA ANGELO a/k/a/

ROSINA CARUVANA,

Defendants.

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**ORDER GRANTING IN PART AND DENYING IN PART  
DEFENDANTS' MOTIONS IN LIMINE (ECF NOS. 352 and 380)**

On May 24, 2023, Defendants John Angelo and Rosina Caruvana filed a Motion in Limine to Exclude Evidence at Trial (ECF No. 352), seeking to exclude specific exhibits from the trial scheduled for jury selection on July 11, 2023. On June 8, 2023, the government filed a Response to Defendants' motion and indicated it would withdraw and not attempt to introduce in its case-in-chief the exhibits marked Gov't Exhibits: 202A, 10001, 10001A, 10002, 10002A, 30003, 30003A, 30004, 30004A, 30006B3, 30006B3A, 30006B4, 30006B4A, 30006B5, 30006B5A, 44631, 44632, 44636, 44637, 44638A, 44643, 44643A, 44644, 44645, 44646, 44646C to 44715, 51883 to 51898, 51902 to 51903, 51913, 51914, 51915, 51916, 51918, 51919, and 51931 to 51934.

On June 23, 2023, Defendants John Angelo and Rosina Caruvana filed UNDER SEAL a Supplement to Defendants' Motion in Limine (ECF No. 380).

On June 28, 2023, the Court held a hearing on the relevant motions and heard arguments from the parties. Regarding Defendants' Motion to Exclude, for the reasons explained on the record during that hearing, the Court determined that Defendant's Motion is granted in part and the government may not move into evidence Gov't. Exhibit Nos. 7002, 7002B, 7002C, 7002D, and 7002E. Further, the government may not move into evidence Gov't. Exhibit Nos. 3001, 3001A, and 3002 (2014 mortgage records from NBKC Bank). However, the government is permitted to create new exhibits from pages 88, 171 to 175, and 227 to 230 of the existing Gov't. Exhibit No. 3001. The Court found that the NBKC Bank records are admissible as business records pursuant to Fed. R. Evid. 803(6). The Court further ordered that if a witness from NBKC bank testifies as to these new exhibits, such witness shall not discuss the mortgage process in general but first-hand information regarding how these documents were obtained at the time.

In regard to audio recordings and their respective transcripts sought to be introduced by the government, the government stated that it will provide the defense with up to five recordings from the current exhibits list to reach an agreement on their introduction. Once the parties agree on the recordings, they should also discuss

the proposed transcripts which will be provided along with the recordings.

The Court also held that the allegations contained in Count One of the Second Superseding Indictment (including the mention of “stolen police reports”) shall not be discussed or mentioned during the trial. Both parties shall instruct their respective witnesses accordingly.

Regarding Defendants’ Supplement to Motion in Limine involving witnesses, the Court finds that the witnesses listed in the sealed attachment to this order (Exhibit A) are relevant and may testify in the government’s case in chief. The other witnesses on the government’s list may be called in the government’s case in chief, if needed. All other witnesses not needed in the government’s case in chief are rebuttal if needed.

**IT IS SO ORDERED**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: July 6, 2023

**Exhibit A**

1. Arnorld, Candy
2. Beydoun, Nabil
3. Capella, John
4. Cozzetto, Silvio
5. DeSanto, Joseph
6. Dundon, Mark
7. Grove, Justin
8. Hite, Christopher
9. Jawetz, Scott
- 10.Katz, David
- 11.Korson, Aaron (regarding direct statements made by John Angelo)
- 12.Lemongello, Richard
- 13.Lemongello, Jr., Richard
- 14.Lynch, David
- 15.Sereno, Anthony
- 16.Sereno, Reann
- 17.FBI SA , Title III
- 18.Varjabedian, Tracy

19. Waltz, Ron

20. Williams, Kelly – IRS RA

21. Yusubov, Ramil